

AN ACT

ENTITLED, An Act to extend certain protections against precipitous eviction to certain long-term tenants at will.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That § 43-8-8 be amended to read as follows:

43-8-8. A tenancy or other estate at will, however created, may be terminated by the landlord's giving notice to the tenant in the manner prescribed by § 43-8-9 to remove from the premises within a period, specified in the notice, of not less than one month. However, if the tenancy at will is the residence of a tenant who is on active military service or if a person on active military service is an immediate family member of the tenant, the tenant is entitled to two months' notice in the manner prescribed by § 43-8-9 unless:

- (1) The tenant has engaged in sustained conduct that is either disruptive to other residents or neighbors, illegal, destructive, or negligent toward the maintenance of the property, or constitutes a material breach in the implied lease conditions; or
- (2) The landlord has sold the property or the property has passed to the landlord's estate.

For the purposes of this section, an immediate family member is a spouse or minor child.

An Act to extend certain protections against precipitous eviction to certain long-term tenants at will.

\_\_\_\_\_  
I certify that the attached Act  
originated in the

HOUSE as Bill No. 1219

\_\_\_\_\_  
Chief Clerk  
\_\_\_\_\_

\_\_\_\_\_  
Speaker of the House

Attest:

\_\_\_\_\_  
Chief Clerk

\_\_\_\_\_  
President of the Senate

Attest:

\_\_\_\_\_  
Secretary of the Senate

House Bill No. 1219

File No. \_\_\_\_\_

Chapter No. \_\_\_\_\_

\_\_\_\_\_  
Received at this Executive Office  
this \_\_\_\_\_ day of \_\_\_\_\_ ,

20\_\_\_\_ at \_\_\_\_\_ M.

By \_\_\_\_\_  
for the Governor  
\_\_\_\_\_

The attached Act is hereby  
approved this \_\_\_\_\_ day of  
\_\_\_\_\_, A.D., 20\_\_\_\_

\_\_\_\_\_  
Governor  
\_\_\_\_\_

STATE OF SOUTH DAKOTA,  
ss.  
Office of the Secretary of State

Filed \_\_\_\_\_, 20\_\_\_\_  
at \_\_\_\_\_ o'clock \_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

By \_\_\_\_\_  
Asst. Secretary of State